

2. Authorizing the Liquidator, pursuant to Tenn. Code Ann. § 56-9-332, to distribute \$10,282,514.83, consisting of XHT's remaining estate assets (\$10,441,983.91) less the administrative expense reserve (\$159,469.08), to pay remaining Class 2 pre-rehabilitation provider claims totaling \$37,755,808.48, by making a pro rata distribution to each claimant in proportion to each claimant's amount "Remaining Total Due" set forth in Exhibit 1 to L. Jordan's Affidavit";

3. Finding that XHT has insufficient funds to pay Class 2 claims in full; and therefore, pursuant to Tenn. Code Ann. § 56-9-330(a), finding that no distributions shall be made on claims classified lower than Class 2 priority;

4. Authorizing the Liquidator, pursuant to Tenn. Code Ann. § 56-9-333(a), to transfer unclaimed funds subject to distribution to the State Treasurer after ninety (90) days from the date claims distribution checks are issued; and

5. Authorizing the Liquidator, pursuant to Tenn. Code Ann. § 56-9-336, to destroy all claims records and all other records located at Richards and Richards after August 1, 2008.

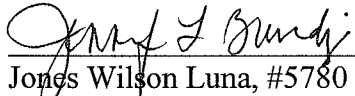
A Memorandum and an Affidavit of Lisa Jordan along with its Exhibits 1-4 (collectively, the “pleadings”) are filed contemporaneously herewith and are incorporated herein.

The Liquidator further states that, in addition to serving copies of this motion and its associated pleadings upon all counsel of record, the Liquidator will also do the following:

(a) Post a copy of the pleadings on the website of the Tennessee Department of Commerce and Insurance; and

(b) Request that the Hospital Alliance of Tennessee, the Tennessee Medical Association, and the Tennessee Hospital Association advise their members of the website posting or make copies of the pleadings available by other means.

Respectfully submitted,

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**THIS MOTION IS SET TO BE HEARD ON TUESDAY, MAY 20, 2008, AT 9:00 AM.
FAILURE TO SUBMIT AND SERVE A TIMELY RESPONSE IN ACCORDANCE
WITH THE LOCAL RULES MAY RESULT IN THE MOTION BEING GRANTED.**

CERTIFICATE OF SERVICE

I certify that a true and exact copy of the foregoing has been mailed, first-class, postage prepaid, on this 30th day of April, 2008, to the following:

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